

18 May 1827.

564



(Ireland.)

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# B I L L

[AS AMENDED BY THE COMMITTEE]

For the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in *Ireland*.

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N.B.—*The Clauses marked (A. & B.) and the Schedule of Fees, were added by the Committee.*

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**W** H E R E A S the holding of Petty Sessions by Justices of the Peace in *Ireland* has been found conducive to a better administration of the Laws, and to the general interests of His Majesty's Subjects within that part of the United Kingdom:

- 5 And whereas it is expedient to afford additional facilities for holding such Petty Sessions, and for securing a uniform and effectual mode of procedure therein; ~~BE it therefore Enacted~~, by The KING's most Excellent MAJESTY, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, THAT it shall and may
- 10 be lawful to and for the Justices of the peace within their respective jurisdictions, at the January Sessions to be holden next after the passing of this Act, to divide the county, county of a city, or county of a town, for which such Sessions shall be holden, into such Districts, for the purposes of this Act, as to them shall seem most expedient, fixing within
- 15 every such District a place wherein the Petty Sessions shall be holden for such Districts respectively.

*Counties, Cities, &c. divided into Districts for holding Petty Sessions.*

- And be it further Enacted, That an Order in writing shall be made by the said Courts of Quarter Sessions assembled as aforesaid, specifying
- 20 the boundaries of each and every such District, and the names of every place fixed for the holding of Petty Sessions, which Order shall be entered in the Crown book by the respective Clerks of the Peace, and
366. A a certified

*Extent of District, and place fixed for holding Petty Sessions to be entered in Crown books.*

a certified copy of such Order transmitted by such clerk of the peace to the respective secretaries to the Grand Juries; and shall be laid before the several Grand Juries at the Spring assizes then next ensuing, and shall be printed with the Presentments granted at such Spring assizes.

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CLAUSE (A.)  
Justices may  
alter District  
and Place for  
holding Petty  
Sessions.

Provided always, That in case at any October Quarter Sessions, after the first of January, in the year One thousand eight hundred and twenty-eight, application in writing under the hands and seals of Five or more Justices of the peace, be made to the Justices assembled, praying an alteration of any such District of Petty Sessions, or of the Place wherein such Petty Sessions are holden, it shall and may be lawful to and for the said Justices within their respective jurisdictions respectively, at the January Sessions then next ensuing, to consider such application, and to make such order thereon respecting the alteration applied for as shall to such Justices seem expedient, entering such Order in the Crown Book, and transmitting the same to the respective Secretaries to the Grand Juries, to be by them printed with the Presentments as aforesaid.

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Grand Jury  
to present an  
annual sum  
for Justice  
Room.

And be it further Enacted, That it shall and may be lawful to and for the said Grand Juries to present an Annual Sum not exceeding Ten Pounds for the rent of a public Justice Room, not being in a house wherein spirituous or fermented liquors are sold, in each of the places wherein such Petty Sessions shall have been appointed to be openly held as aforesaid: Provided, That wherever a public court house shall have been built and be maintained at any place so appointed, no such Presentment shall be made, and the Petty Sessions shall be holden in such public court house, and not elsewhere: Provided also, That no such Presentment be made for such Justice Room, unless it shall be proved that six meetings of Justices during the six months immediately preceding such Presentment shall have been held therein.

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Appointment  
of Clerk to  
Justices

And be it further Enacted, That it shall and may be lawful to and for the Justices, at every such Petty Sessions assembled, to appoint one fit and proper person to act as their Clerk during their pleasure, which clerk shall be authorized to receive the several Fees, as by the Schedule to this Act annexed; and that no other or greater Fee shall be taken by such clerk, or by any other person, for any summons, order, warrant, information, recognizance, conviction, or for any other matter or thing done by the said Justices at Petty Sessions.

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CLAUSE (B.)  
Appropri-  
ation of Fees.

Provided always, That it shall and may be lawful to the Justices of such Petty Sessions, if they shall so think fit, to keep or require to be kept, an account of all such Fees, and in case such Fees shall amount to any greater sum than such Justices shall consider to be, and shall have

have been fixed as an adequate remuneration for such Clerk as aforesaid, to appropriate any balance remaining after the payment of such Clerk, to the purchase of stationery and necessary books for the use of such Petty Sessions as aforesaid.

- 5 And be it further Enacted, That a printed Table of the said Fees shall be affixed within every Court house or public Justice room wherein such Petty Sessions are holden; and if any other or greater Fees than those set forth in the Schedule are demanded or taken for any act, matter or thing done at the said Petty Sessions, any person so  
10 offending shall forfeit the sum of Five pounds, to be recovered by civil bill, by any person who shall sue for the same: Provided nevertheless, That no Fee whatsoever shall be demanded taken or received by any clerk to such Petty Sessions, or by any clerk to any Justice of the peace, or by any other person, for any summons, warrant, information,  
15 recognizance or other magisterial act done by any Justice at any other time place or any other manner than at Petty Sessions.

A Table of Fees to be affixed in every Court House.

- And be it further Enacted, That a Registry or Record in writings shall be kept by each and every clerk of Petty Sessions, of all acts or orders and proceedings done at such Petty Sessions, whether in civil or criminal cases, in the manner and form set forth in the Schedule to this Act annexed; such Registry or Record to be signed on each day upon  
20 which such Petty Sessions shall be holden, by all the Justices present; and that no summons, warrant, conviction, committal, information, recognizance, or any other magisterial act or order of any kind, be  
25 issued or signed at such Petty Sessions, without the making an entry thereof in the said Record or Registry.

A Registry of all Acts and Proceedings to be kept.

- And be it further Enacted, That all Informations and Recognizances sworn and acknowledged at the said several Petty Sessions, shall, once in every month at the least, be transmitted to the Clerk of  
30 the Crown and Clerk of the Peace, as the nature of the case may require.

Informations &c. to be transmitted to Clerk of the Crown.

- And be it further Enacted, That in all Cases in which, from peculiar and pressing emergency, or for the apprehension of offenders, or the prevention of crime, it becomes necessary for a single Justice to act, and not in Petty Sessions, such Magistrate do report such case to the  
35 Petty Sessions then next ensuing, to be holden for the district in which such case has arisen, and that a particular entry be made in the Registry of every such Petty Sessions of every such case.

Entry to be made of all cases where single Justice acts.

And be it further Enacted, That a List of all Informations and Recognizances sworn and acknowledged before Justices acting singly, be made out by the respective clerks of the crown and of the peace, and  
366. A 2 shall

List of Informations, &c. where single Justice acts to be laid before Quarter Sessions.

shall be laid before the Judges of Assize and Justices in Quarter Session respectively, together with the names of the parties before whom such Informations and Recognizances were sworn and acknowledged.

Warrant, &c.  
to be signed  
by Two  
Justices.

And be it further Enacted, That every warrant, information, conviction, committal, recognizance, or order of the Justices at Petty Sessions, 5 shall be signed by Two Justices at the least, and not by any one person or chairman, or on the behalf of others; and that no summons, warrant or order be signed in blank by any Justice or Justices of the peace.

Statutes not  
to be distrib-  
uted to  
Magistrates  
until Petty  
Sessions shall  
have been first  
provided.

AND whereas copies of the Statutes at large are annually distributed for the use of Justices of the peace in Ireland; BE it Enacted, That 10 from and after the passing of this Act such distribution shall in the first place be made in the several counties for the several Petty Sessions within such counties respectively; and that no such copies be distributed to individual Magistrates until the Petty Sessions shall have been first therewith provided. 15

Justices of  
subsequent  
Petty Sessions  
may determine  
cases, although  
complaints may  
have been  
received at  
previous  
meetings.

And be it further Enacted, That it shall and may be lawful to and for any Justices of Petty Sessions, to hear and proceed and deter- mine upon any case in which such Justices have jurisdiction by law, although the summons for the same may have been issued, and the complaint received, by other Justices at a previous meeting of such Petty 20 Sessions, in such and the like manner as if the first complaint was made, and the summons issued by the same parties before whom the subsequent proceedings were had and taken.

#### SCHEDULE OF FEES.

|                                                                                   | s. | d. |
|-----------------------------------------------------------------------------------|----|----|
| Summons and Copy - - - - -                                                        | -  | 6  |
| Warrant - - - - -                                                                 | -  | 6  |
| Recognizance - - - - -                                                            | 1  | -  |
| Conviction - - - - -                                                              | 1  | -  |
| Engrossing Information in Assaults, Trespasses, and all<br>Misdemeanors - - - - - | 1  | -  |
| Appeal to Quarter Sessions - - - - -                                              | 1  | 6  |
| Supersedens - - - - -                                                             | -  | 6  |

# SCHEDULE.

REGISTRY of Summonses issued from Petty Sessions, held for the County of \_\_\_\_\_ at \_\_\_\_\_

| N <sup>o</sup> | Date of Complaint. | Complainant's Name and Residence. | Complainant. | Persons Summoned, Name and Residence. |
|----------------|--------------------|-----------------------------------|--------------|---------------------------------------|
|                |                    |                                   |              |                                       |

REGISTRY of Civil Proceedings at Petty Sessions, held for the County of \_\_\_\_\_ at \_\_\_\_\_

| N <sup>o</sup> | Date of Complaint. | Complainant's Name and Residence. | Complaint. | Name of Defendant. | Witnesses Sworn. | Adjudication. |
|----------------|--------------------|-----------------------------------|------------|--------------------|------------------|---------------|
|                |                    |                                   |            |                    |                  |               |

REGISTRY of Proceedings in Criminal Matters at Petty Sessions, held for the County of \_\_\_\_\_ at \_\_\_\_\_

| N <sup>o</sup> | Date of Information. | Informant's Name. | Offence. | Persons Charged, Name and Residence. | Witnesses Sworn. | Determination. |
|----------------|----------------------|-------------------|----------|--------------------------------------|------------------|----------------|
|                |                      |                   |          |                                      |                  |                |

7-8 GEO. IV.—SESS. 1826-7.

(Ireland.)

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B I L L

[AS AMENDED BY THE COMMITTEE]

For the better Administration of Justice at  
the holding of Petty Sessions by Justices  
of the Peace in *Ireland*.

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Ordered, by The House of Commons, to be Printed,  
18 May 1827.

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